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EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 25th November 1970

G.S.R. 1970.—In exercise of the powers conferred by section 2 of the Union Territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Tripura, the Armed Forces (Assam and Manipur) Special Powers Act, 1958 (28 of 1958), as at present in force in the State of Assam, subject to the following modifications, namely:—

Modifications

1. In sub-section (2) of section 1, for the words "the whole of the State of Assam and the Union territory of Manipur", the words "the whole of the union territory of Tripura" shall be substituted.

2. In section 3,—

(a) for the words "Governor of Assam or the Chief Commissioner of Manipur", the words "Administrator of the Union territory of Tripura" shall be substituted;

(b) for the words "State of Assam or the Union territory of Manipur as the case may be.", the words "Union territory of Tripura" shall be substituted;

(c) the words "State or" shall be omitted.

ANNEXURE

The Armed Forces (Assam and Manipur) Special Powers Act, 1958, as extended to the Union Territory of Tripura (No. 28 of 1958).

An Act to enable certain special powers to be conferred upon members of the armed forces in disturbed areas in the State of Assam and the Union territory of Manipur.

Be it enacted by Parliament in the Ninth Year of the Republic of India as follows:—

1. **Short title and extent.**—(1) This Act may be called the Armed Forces (Assam and Manipur) Special Powers Act, 1958.

(2) It extends to the whole of the Union territory of Tripura.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

(a) "armed forces" means the military forces and the air forces operating as land forces, and includes any other armed forces of the Union so operating;

(b) "disturbed area" means an area which is for the time being declared by notification under section 3 to be a disturbed area;

(c) all other words and expressions used herein, but not defined and defined in the Air Force Act, 1950 (45 of 1950), or the Army Act, 1950 (46 of 1950), shall have the meanings respectively assigned to them in those Acts.

3. **Power to declare areas to be disturbed areas.**—If the Administrator of the Union territory of Tripura is of the opinion that the whole or any part of the Union territory of Tripura is in such a disturbed or dangerous condition that the use of armed forces in aid of the civil power is necessary, he may, by notification in the Official Gazette, declare the whole or any part of the Union territory to be a disturbed area.

4. **Special powers of the armed forces.**—Any commissioned officer, warrant officer, non-commissioned officer or any other person of equivalent rank in the armed forces may, in a disturbed area,—

(a) if he is of opinion that it is necessary so to do for the maintenance of public order, after giving such due warning as he may consider necessary, fire upon or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in the disturbed area prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as weapons or of fire-arms, ammunition or explosive substances;

(b) if he is of opinion that it is necessary so to do, destroy any arms dump, prepared or fortified position or shelter from which armed attacks are made or are likely to be made or are attempted to be made, or any structure used as a training camp for armed volunteers or utilised as a hide-out by armed gangs or absconders wanted for any offence;

(c) arrest, without warrant, any person who has committed a cognizable offence or against whom a reasonable suspicion exists that he has committed or is about to commit a cognizable offence and may use such force as may be necessary to effect the arrest;

(d) enter and search without warrant any premises to make any such arrest as aforesaid or to recover any person believed to be wrongfully restrained or any property reasonably suspected to be stolen property or any arms, ammunition or explosive substances believed to be unlawfully kept in such premises, and may for that purpose use such force as may be necessary.

5. **Arrested persons to be made over to the police.**—Any person arrested and taken into custody under this Act shall be made over to the officer in charge of the nearest police station with the least possible delay, together with a report of the circumstances occasioning the arrest.

6. **Protection to persons acting under Act.**—No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purported to be done in exercise of the powers conferred by this Act.

[No. F.6/9/70-UTL-(115).]
K. R. PRABHU, Jt. Secy.

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